

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JOHN DOE,

Plaintiff,

v.

WAKE FOREST UNIVERSITY,

Defendant.

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Case No. 1:23-cv-00114

DEFENDANT WAKE FOREST UNIVERSITY’S MOTION TO COMPEL DISCOVERY

Defendant Wake Forest University (the “University”) moves pursuant to Federal Rules of Civil Procedure 26 and 37 for an order requiring Plaintiff to reproduce his SnapChat Data (bates-numbered as P0002051-P0002069) without redactions within twenty-four (24) hours of this Court’s Order, and to require Plaintiff to sit for his continuing deposition within fourteen (14) days. Pursuant to FED. R. CIV. P. 37(a)(5), the Court should award the University its fees in having to file this Motion. The legal authority and arguments supporting the University’s motion are set forth in the memorandum of law filed concurrently with this motion.

WHEREFORE, the University respectfully requests that this Court issue an Order:

- a. requiring Plaintiff to reproduce his SnapChat data identified by bates-numbers P0002051-P0002069 free of redactions within twenty-four (24) hours; and
- b. requiring Plaintiff to sit for a continuing deposition at a time and place agreed to by the parties within fourteen (14) days;
- c. awarding the University its fees in filing this Motion pursuant to FED. R. CIV. P. 37(a)(5); and
- d. granting the University such further relief as the Court deems appropriate.

CERTIFICATION OF ATTEMPTS TO RESOLVE DISPUTE WITH COUNSEL

Pursuant to FED. R. CIV. P. 37(a)(1) and Local Rule 37.1(a), the University certifies that it has in good faith communicated with Plaintiff's counsel in an effort to reach an agreement on the discovery dispute set forth in this motion. Emails memorializing the discussions between counsel are attached to the memorandum of law in support of this Motion.

Dated: June 19, 2023

Respectfully Submitted,

/s/ Joshua W.B. Richards

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